

MARCUS W. TRATHEN 1600 WELLS FARGO CAPITOL CENTER 150 FAYETTEVILLE STREET RALEIGH, NC 27601

T 919.839.0300 F 919.839.0304 MTRATHEN@BROOKSPIERCE.COM

## REDACTED- FOR PUBLIC INSPECTION

August 15, 2017

## VIA ELECTRONIC FILING

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Re: Inmate Calling Services Proceeding – WC Docket No. 12-375

Dear Ms. Dortch:

Pay Tel Communications, Inc. ("Pay Tel") hereby submits this amended annual inmate calling services report. *See* 47 C.F.R. § 64.6060.

On June 30, 2017, Pay Tel submitted its initial report. In its initial filing, Pay Tel did not provide data for Section VI, Video Calling Services, citing the D.C. Circuit's decision vacating that portion of the reporting requirements. *See Global Tel\*Link, et al. v. FCC*, Slip Opinion No. 15-1461 (June 13, 2017), at 34 ("We hold that the video visitation services reporting requirement [] is too attenuated to the Commission's statutory authority to justify this requirement.... We therefore vacate the reporting requirement for video visitation services."). Nonetheless, at the request of FCC staff, Pay Tel submits this amended report to provide the Section VI data in light of the fact that the court's mandate in *Global Tel\*Link v. FCC* has not issued. Except as to the inclusion of the Section VI data and explanation in the Appendix the amended report is identical to the prior filed report.

In accordance with the Wireline Competition Bureau's Public Notice in WC Docket No. 12-375 dated May 24, 2017 (DA 17-508), and using the procedures specified in the Protective Order issued by the Bureau on December 19, 2013, a redacted, public version of the annual report form is being filed with this letter. The unredacted report contains confidential commercial, financial, and technical information disclosure of which will likely would cause substantial competitive and financial harm to Pay Tel. Accordingly, a copy of the confidential version is being submitted separately to the Commission under confidential seal.

 $<sup>^{\</sup>rm 1}$  See Rates for Interstate Inmate Calling Services, WC Docket No. 12-375, Protective Order, 28 FCC Rcd 16954 (WCB 2013).

Marlene H. Dortch August 15, 2017 Page 2

Should any questions arise in connection with this filing, please do not hesitate to contact this office.

Respectfully submitted,

Marcus W. Trathen

Counsel to Pay Tel Communications, Inc.